

Mr. SPEAKER.—It cannot be permitted.

ಶ್ರೀ ಎಸ್. ಶಿವಪ್ಪ (ಶ್ರವಣಬೆಳಗೊಳ).—ನಭಾಪತಿಯವರೇ, ಭಾರತ ಹೇತದಲ್ಲ, ಹೇತ ಹೇತಗಳ ಮಧ್ಯೆ ಇಂತಹ ನಮಸ್ಕಗಳು ಇದ್ದಾಗ್ಯೂ ಕೂಡ ಅವುಗಳನ್ನೆಲ್ಲಾ ಬಿಟ್ಟು ಏಕೀಕೃತವಾಗಿ ಮಹಾರಾಷ್ಟ್ರ ಮತ್ತು ಮೈಸೂರು ವಿಷಯವನ್ನೇ ಅಗಾಧವಾದ ಪ್ರಶ್ನೆ ಮಾಡಿ ಈ ಒಂದರ ಬಗ್ಗೆ ಮಾತ್ರ ಕಾಂಗ್ರೆಸ್ ವರ್ಕಿಂಗ್ ಕಮಿಟಿಯವರು ತೀರ್ಮಾನ ತೆಗೆದುಕೊಂಡಿರುವುದು ನೋಡಿದರೆ, ಅದು ಕೇವಲ ಕೆಲವರ ಪ್ರತಿಭೆ ಮತ್ತು ಪ್ರಭಾವಕ್ಕೋಳಾಗಿ ಈ ಒಂದು ತೀರ್ಮಾನವಾಗಿರುತ್ತದೆ. ಈ ವಿಷಯಗಳು ಜೋನಲ್ ಕೌನ್ಸಿಲ್ ನಲ್ಲ ಮತ್ತು ಪಾರ್ಟಿಮೆಂಟಿನಲ್ಲಿ ತೀರ್ಮಾನವಾಗತಕ್ಕ ಕಾನೂನು ಬದ್ಧ ವಿಷಯಗಳಾಗಿರುವುದರಿಂದ, ಕಾಂಗ್ರೆಸ್ ವರ್ಕಿಂಗ್ ಕಮಿಟಿಯು ಎರಡು ಹೇತಗಳ ಮುಖ್ಯಮಂತ್ರಿಗಳು ಕುಳಿತು ಟರ್ಮ್ಸ್ ಆಫ್ ರೆಫರೆನ್ಸ್ ನಿರ್ಧಾರ ಮಾಡಬೇಕೆಂದು ಹೇಳಿರತಕ್ಕಂಥದ್ದು ಕಾಂಗ್ರೆಸ್ ವರ್ಕಿಂಗ್ ಕಮಿಟಿಯ ತೀರ್ಮಾನವಾಗಿರುವುದರಿಂದ, ಯಾವುದೋ ಪ್ರಬಲವಾದ ಒತ್ತಾಯಕ್ಕೋಳಾಗಿ ಮಾಡಿರತಕ್ಕಂಥ ತೀರ್ಮಾನವಾಗಿದೆ. ನಮ್ಮ ಮಾನ್ಯ ಮುಖ್ಯಮಂತ್ರಿಗಳು ಮತ್ತು ಮಹಾರಾಷ್ಟ್ರ ಮುಖ್ಯಮಂತ್ರಿಗಳು ಭೇಟಿ ಮಾಡುವಾಗ ಅವರು ಕಾಂಗ್ರೆಸ್‌ನ ತೀರ್ಮಾನದಂತೆ ಕಾಂಗ್ರೆಸ್ ನವರಾಗಿ ಭೇಟಿ ಮಾಡುತ್ತಿದ್ದಾರೆ. ಅವರು ಮೈಸೂರಿನ ಮುಖ್ಯಮಂತ್ರಿಗಳಾಗಿ ಈ ಸಭೆಗೆ ಬದ್ಧರಾಗಿರಬೇಕು. ಅವರುಗಳು ಮಾಡಿದಂತಹ ತೀರ್ಮಾನವನ್ನು ಈ ಸಭೆಯ ಮುಂದೆ ತೀರಿಸಬೇಕು, ಆ ಆಶ್ಚರ್ಯನೆಯನ್ನು ಕೊಡಬೇಕೆಂದು ಕೇಳಿಕೊಳ್ಳುತ್ತೇನೆ.

Mr. SPEAKER.—I will always hold him responsible to the House  
How can he repudiate his constitutional liability?

Sri S. NIJALINGAPPA.—I am always responsible to the House.

ಶ್ರೀ ಗಂಗಾಧರ ನಮೋಷಿ.—ಇಂತಹ ಪರಿಸ್ಥಿತಿ ಇದಾಗ್ಯೂ ಕೂಡ ಎ. ಐ. ಸಿ. ಸಿ. ಯಲ್ಲಿ ಮಹಾರಾಷ್ಟ್ರದವರ ಪ್ರಭಾವಕ್ಕೋಳಾಗಿ, ಇಂಥ ಒಂದು ಕಮಿಟಿ ನೇಮಕವಾದ ಮೇಲೆ, ಕರ್ನಾಟಕದವರು ಹೇಳಿದ ಮಾತಿಗೆ ಬೆರೆಯುತ್ತವೆಂದು ಅರ್ಥವಾಗುತ್ತದೋ ಇಲ್ಲವೋ? ಕರ್ನಾಟಕದಲ್ಲರತಕ್ಕ ಜನರಲ್ಲಿ ಏನು ಒಂದು ಅಭಿಪ್ರಾಯ ಬಂದಿದೆಯೆಂದರೆ, ಕರ್ನಾಟಕದ ಪರವಾಗಿ ಕೇಂದ್ರದಲ್ಲಿ ಮಾನ್ಯ ಎಲ್ಲವೆಂಬುದು ನಿಜವೇ?

ಶ್ರೀ ಕೆ. ಪಿ. ರೇವಣಸಿದ್ದಪ್ಪ.—ಏಕೆ ನದಸ್ಯ ಸಮಿತಿಯನ್ನು ತಾವು ಒಪ್ಪದಿದ್ದಮೇಲೆ ತಾವು ವಾಕ್‌ಬಿಟ್ ಏಕೆ ಮಾಡಲಿಲ್ಲ? ಮಹಾರಾಷ್ಟ್ರ ಮತ್ತು ಮೈಸೂರು ಗಡಿ ಬಗ್ಗೆ ಮಾತ್ರ ಏಕೆ ವರ್ಕಿಂಗ್ ಕಮಿಟಿಯವರು ಹೆಚ್ಚು ಆಸಕ್ತಿ ತೋರಿಸಿದರು? ಮಿಕ್ಕಗಡಿ ವಿಷಯದಲ್ಲಿ ಆಸಕ್ತಿ ತೋರಿಸದೇ ಇರುವುದಕ್ಕೆ ಕಾರಣವೇನು? ಮತ್ತು ಕೇಂದ್ರದಲ್ಲಿ ನಮ್ಮ ರಕ್ಷಣಾ ಮಂತ್ರಿಯವರು ಈ ಗಡಿ ಪ್ರಶ್ನೆಯನ್ನು ಎತ್ತಿರುವುದರಿಂದ ಅವರ ಮೇಲೆ ಏನು ಕಾರ್ಯಕ್ರಮ ತೆಗೆದುಕೊಂಡಿದ್ದೀರಿ?

Mr. SPEAKER.—I will take the debate as being over. In the course of the debate I said and the House is aware that notice of an amendment was given by Sri Suryanarayana Rao and some other Members. What transpired with regard to that is within the knowledge of the Members and has been recorded. It is unnecessary for me to refer to it in detail again. The position that emerges from all that has happened is that the amendment notice that was given was under the impression that an amendment is permissible and amendment will be acceptable and therefore could be moved, but before it actually came to the stage of moving, the Hon'ble Member having realised that it may not be possible, he had given according to him notice of a substantive motion and therefore he had no idea of moving that amendment. Once the amendment is rejected and not admitted, then the question might arise whether the same matter could be re-agitated by him. It has to be remembered so far as amendments are concerned, the right is of the Speaker to select the amendment. It does not mean that every amendment should, as a matter of right, be allowed to be moved and the admissibility of the amendment also has to be considered. Admissibility of amendment is inter-linked with the

(MR. SPEAKER)

main proposition before the House. One of the tests with regard to admissibility of an amendment is whether the proposed amendment changes the motion before the House. If it changes the colour or contents and entirely brings about something new, then the amendment is beyond the scope of the main motion before the House and therefore it is inadmissible. In this matter the proposition before the House is that the border agitation be taken into consideration. Considering the matter is something different from voting upon it. It is a motion where the matter is taken into consideration. It has not come up for the first time. We have discussed such motions even after we assembled this time, like Financial statement of the Electricity Board.

5-30 P.M.

The motion is, that it be taken into consideration. Time and again, on a multitude of occasions, such motions have been moved. I mention this for the purpose of showing that all the Members of the House are fully aware with regard to the nature, the scope and the ambit of such motions. Every body is there to give expression, so that the House may know what exactly are the opinions to be expressed when such a matter is taken into consideration, the real purpose being that those that are responsible for shaping the policy may know that these are the ideas that they should bear in mind, which of them should be accepted, which of them to be rejected, which of them to be modified, is a matter for them and when they do so, they are again brought before the House in proper form. Therefore, the proposed amendment of Sri K. S. Suryanarayana Rao which said that as a consequence, the proposal of one-man commission be dropped, is a matter which entirely changes the nature of the motion. Rule 279 which deals with these matters specifically and clearly, unequivocally says, no question shall be put. Now that rule deals with the matter initially with regard to taking into consideration a motion of this type, and when this is done, the rule that has been provided by this House by which I am bound, specifically says :

“A motion that the policy or situation or statement or any other matter be taken into consideration shall not be put to the vote...”

Therefore, the only motion before the House is the one moved by Sri S. Shivappa and I have no power to put it to the vote. There is the rule which expressly prohibits and prevents me. Nor can I ask it to be taken into consideration and as has been pointed out, the House cannot be expected to vote one way or the other. Unless there is a positive content in the resolution or the motion, it cannot be voted upon. That is because, the fullest wisdom of all the Members collectively should be available to the House and should be

available thereby to the Government so that the best interests of the State may be served. The purpose is that this is part of the record. Therefore, if I accept Mr. Suryanarayana Rao's amendment, I change the nature of the motion and therefore it is not admissible.

Then it is said in the same rule :

“...but the Assembly shall proceed to discuss the matter immediately after the mover has concluded his speech...”.

If Sri S. Shivappa has concluded his speech, the whole debate has to go on. Nothing can be put. That is the right procedure and that is the procedure we have followed. If by some error something was attempted to be done, the matter was set right and it was said by the mover himself that he has no idea of moving. It has to be explained that when the Hon'ble Member presiding at that time, called upon him, he said that he would rather stick to his substantive motion rather than the amendment, because the amendment is contrary, goes against the main motion before the House and cannot be admitted, and it will lead to anomalous results.

But I hear Mr. Anna Rao, another signatory to the notice of the amendment—when Mr. Suryanarayana Rao says that he does not want the motion, Mr. Anna Rao is not agreeable to it. It is for them to agree among themselves. But they collectively sign the paper and send it. The Hon'ble Member Mr. Suryanarayana Rao's name is first in the list. According to rules, conventions and standing practice, I have called the member whose name stands first in the list of signatories. If the Hon'ble Member is not present, then I may call upon the rest of the Members in the same order. The idea of more than one member putting signature to such notices is to ensure that in case one member is absent when the motion is taken up, the other member may move. Whichever way it is, if Mr. Suryanarayana Rao said something, he said it not for himself, he is supposed to have said that on behalf of all those that they have signed it. He did not say that he was moving it on his own behalf. When you sign the paper you agree with each other and later on to say that I do not agree, may not be proper. Members who collected themselves, agreed among themselves for entering the signature, will kindly agree among themselves even now rather than call upon me to find a way to bring about an agreement. If there is a disagreement prevailing, they should have the liberty of entertaining any opinion they like. So far as the amendment is concerned, there is no amendment before the House, and I do not propose to put it to the vote of the House.

The rule further says :

“.. and no further question shall be put at the conclusion of the debate at the appointed hour, unless a member moves a substantive motion...”

(MR. SPEAKER)

I have to point out, the wording used is : ' substantive motion', because some meaning is attempted to be read in this word to say that it is ' substitute motion'. That may be very good English, but it is not ' substantive motion'. If they wanted a substantive motion coming within the four corners of the rules, there is nothing that prevents them. I pointed out from the beginning the rule that is to be observed, the procedure to be observed under rule 279 and that is why they have called it ' substantive motion '. If somebody else has said substitute motion in some other legislature, we need not be confused over it. They are at liberty to do whatever they like. But so far as we are concerned we are bound by these rules and there is no question of substitute motion at all.

Sri C. J. MUCKANNAPPA.—Since it is identical ..

MR. SPEAKER.—It is an open matter and therefore cannot be voted upon. The rule reads further :

"...unless a member moves a substantive motion in appropriate terms to be approved by the Speaker..."

It must be in appropriate terms, it must be approved by the Speaker,

"and the vote of the Assembly shall be taken on such motion".

It is only on such rare occasions that the question arises. I would like the House to bear in mind the nature of the debate that has taken place. If follows that with regard to certain other precedents which have been observed, the nature was totally different. One instance which has been referred to in the course of the debate is a matter relating to the proceedings of the Lok Sabha. The Facts before the House then were the report of what is called the MUNDRA Affair, the Chagla Commission. When the matter was moved, the permission asked by the Prime Minister was to move a substantive motion. There were a number of amendments given notice of and a number of substantive motions—they were contradictory to each other. I am pointing out this aspect, because, if they are contradictory, how am I to assess the opinion of the House ? If I put one, the rest of them feel hurt as it happened in Delhi Lok Sabha. The motion of the Government moved by Prime Minister Nehru was to put it to the vote of the House ; it was passed ; the rest of them automatically lapsed and were not taken up. Here it is open to me to say that no injustice is done to anybody. Because if I accept one substantive motion, to put it to vote, the other is being automatically lost. If I do either and that passed, the other one goes. How am I to choose ? I can choose it by order of priority in time, priority being fixed on the basis of receipt of the notice of the substantive motions. But I must ask you to remember that it is a very delicate matter on which If I were to exercise my discretion, it means far-reaching consequences. A matter if it is once voted upon by this House, cannot be earlier brought

before the House unless there are fresh notices and new things happen. On the other hand, if I do not admit any of those, it is open to the House to discuss the whole matter with a positive content in the motion or resolution, vote upon it and do whatever it likes. One of the considerations that should guide the presiding officer in cases of this character is to see whether *status quo* could be maintained in which nobody's interests are hurt. The whole matter could be discussed. Therefore I am unable to admit any of the substantive motions. I do not propose to admit. Members are at liberty to give notice and re-agitate the whole matter because no conclusion is arrived at. It will not act as a bar so far as they are concerned. Therefore, this debate is over.

**Sri G. V. GOWDA.**—Are the substantive motions not admitted on the ground that they are contradictory to each other?

**Mr. SPEAKER.**—If the Hon'ble Member had followed very clearly what I have said, he would not have raised this question. If this substantive motion is to be put, would it or would it not be fair to have a fresh debate? If another five days have to be spent, what would be the effect?

**Sri G. V. GOWDA.**—That was why we requested you earlier to take a decision on the substantive motion immediately after the mover finished his speech. What I would bring to your kind notice is that they are in appropriate terms, that has got to be approved by the Speaker. What is stated in the rules that a substantive motion should be in appropriate terms and it should be approved by the Speaker. If that is satisfied that it is in appropriate terms, it has to be admitted. On other grounds, it may not be admitted. What the rule says is it should be in appropriate terms. If that condition is satisfied, the Speaker is required to admit and dispose of the matter.

**Mr. SPEAKER.**—Now the concept of appropriate terms include relevancy consequently of other matters. It should be in appropriate terms so that the House is not put to a difficulty for no fault of the members. The House must not lose the chance. Let me demonstrate how it works. Suppose I put it to the House and the House votes. Then the House cannot deal with it again. On the 7th or 10th certain things are going to take place, and then the whole matter will be before the House. I should like to protect the interests of the members rather than curtail them.

† **Sri ANNA RAO GANAMUKHI.**—Rule 279 says that after the conclusion of the debate, the substantive motion moved in appropriate terms should be voted by the Assembly, i.e., vote of the Assembly has to be taken. Substantive motion simply means it should stand on its own legs. It should be independent of the other motion which has been moved before this House. Whether the motion which stands in the name of Sri Suryanarayana Rao stands on its own legs is the question before the House. Substantive motion simply means that it should not be dependent on another motion, but it should stand on its own legs. If we study from that point of view, the motion of Sri Suryanarayana Rao

(SRI ANNA RAO GANAMUKHI)

stands on its own legs and it is independent and it is not a subsidiary motion to any other motion. The words are very clear that it should be a substantive motion. What more appropriate terms are required? Therefore, if you think that there are other motions also equal in appropriate terms, you can as well admit them; the matter has been thoroughly discussed and therefore this substantive motion has to be put to the vote of the House. No further discussion is needed. It is not a subsidiary motion. It is an independent motion. An independent motion is called a substantive motion. Moreover, they are now outside the scope of the subject also. Discussion that has taken place in this House is equally applicable to the substantive motion. Therefore the substantive motion if it is read independently of the other motion which has been discussed, then also it stands on its own legs. There is also the fact that the substantive motion includes various subjects which have been discussed in the other motion, and therefore no further discussion is required. It only requires to be put to the House in the shape of a question. We have already spent five days without coming to any conclusion or decision. If we go out of the House without taking any decision, I think it is not correct, as the collective wisdom of the House requires that it should be embodied in the shape of a decision of the House. Therefore, a substantive motion has been made by Mr. Suryanarayana Rao and I think because there are other motions, this should not be rejected.

Mr. SPEAKER.—Now the Hon'ble Member is saying something which he should not raise after I have given the ruling. But I do not want that he should carry with him any feeling that something has escaped my notice which he wishes to bring to my attention. Will the Hon'ble Member read the rule? It says, "a substantive motion", if there are more than one, this rule will not protect. If there are half a dozen motions, and if I have to show favour to one, what am I to do with the other? Then the Hon'ble Member said on the scope of the substantive motion standing on its own legs. I did not say that it is not standing on its own legs. Did I ever say that it is not on its legs? What I said was that an amendment cannot be allowed. Hon'ble Member agrees with me that an amendment cannot be allowed. Because it is a substantive motion, it does not necessarily mean any substantive motion should be permitted. That is why a safeguard has been put—'in appropriate terms to be approved by the Speaker'. I would approve provided the other circumstances are there. But the other circumstances are there in the motion of Sri Ganji Veerappa. I do not think I should affect him under the rules. Then, so far as this is concerned *i.e.*, one man boundary commission, has the debate been concentrated only upon that? I can take a vote of the House provided the debate has been confined only to that. But the debate was on the widest terms. The whole thing has been discussed. Now the Hon'ble Member wants to select a small portion and on that he wants a vote to be taken. How

can that be done ? Therefore under the peculiar circumstances having regard to the nature of the resolution before the House, having regard to the debate provided on the widest terms, we should not press for the vote of the House on a select small portion of the debate. On this very important matter, everybody has known the mind of the other. This has been debated upon for the last five days, and everybody's mind has become richer. I know how the members feel, every one of them. Suppose I put to the vote of the House. There are seven and there are the rest two hundred. I do not understand with regard to complicated matters the small approach we are urged to take. It will not be right and fair to the persons whose interests are going to be affected. If it is a question of plebiscite, every citizen says in that area : 'I want to go this way; I want to go that way'. But, these people are there somewhere. Now, we are going to decide by a vote of this House ! Why not we have a fuller debate by bringing a Motion like that and have it discussed and disposed of ? Now, the matter has ended. Shall we take up the other Bill ? How does the House feel about it ?

HON'BLE MEMBERS.—No, Sir.

Sri V. S. PATIL.—Sir, we have discussed this most important subject for five days. Where is the necessity for taking up a Bill now ? We have heard the Chief Minister and you, we shall adjourn to-day, Sir.

Mr. SPEAKER.—Now, the House stands adjourned and re-assemble tomorrow at 1 P.M.

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*The House adjourned at Fifty-five minutes past Five of the Clock to meet again at One of the Clock on Friday the 29th July 1966.*

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